

AUTHOR VISITED CHEROKEE NATION

John H. Payne, Writer of "Home, Sweet Home," Was Ross' Guest

ARRESTED AS AGITATOR

Placed in Chains by Guard of Georgia, Charged With Inciting Revolution

Special to The World. TALLEQUAH—An interesting event in early Cherokee history was the visit of the author of Home, Sweet Home. It was for the purpose of studying conditions and people that John Howard Payne entered the old Cherokee nation in Georgia in 1835. Two years previously he had caused to be published the prospectus of a magazine to be issued from London, England, and it was Payne's intention to gather a vast and varied amount of information from out of the way corners of the earth. In 1835 entering the Cherokee nation he had visited a number of the states and territories of the Union and had made extensive notes. Upon reaching the state of Georgia he visited a number of the natural wonders.

Studied Removal Question. While at the picturesque Andicola falls, he was constrained to visit the Cherokees and study the vexed question concerning the proposed removal of the people of this nation to the west. It was in a troubled and distressful period that the author reached the nation. Before proceeding there he had been the guest in Athens of General Hardee, a very prominent citizen, and before leaving the mansion of the general had fallen in love with the beautiful Mary Hardee, then less than twenty years of age. Somewhat later, in company with General Hardee, he departed for the land of the Cherokees. The principal chief of the Cherokees, John Ross, was to be the host of the general and Payne and they were accompanied by Governor Lumpkin and Col. Samuel Rockwell of the United States army.

Soon after the arrival of the party in the Cherokee nation they attended an important meeting being held at a place called Red Clay. At this place Payne met an old college friend, the Rev. John F. Schermerhorn, who long after the student days at Union college, was engaged as agent of the American Board in endeavoring to effect a treaty with the Cherokees by which they would give up their lands and remove westward. Payne attended the sessions of the meeting and a treaty agreeable to Schermerhorn having failed at the time, Payne proceeded with Chief Ross to his home in Tennessee. While at this place, it was the unfortunate fate of the treaty to be placed under arrest, charged with aiding the Indians to sedition. The arrest occurred just two days before Payne had planned to leave the home of the chief and extend his visit to other sections of the nation.

Was Put in Chains. The arrest was made by the Georgia guard and Payne, in chains, was taken along with the chief and was held for nearly two weeks, though the chief was released in a few days. After the charge of conspiracy had been investigated Payne was given his release but was given to understand that his presence was not desired and that he had better remain away from Georgia and the Cherokee nation thereafter.

Payne states that he found in his clothing a letter from one prominent citizen in Georgia, and that there was sufficient blank space upon this letter for him to write a note to a friend. Watching his opportunity he hastily scribbled a few lines to the governor of Tennessee, stating his plight and asking aid. Maudling to hand the note to a friend it was eventually delivered. Concerning the day when he was released, Payne wrote interestingly long afterward. Said he, among other things: "I have seen Napoleon Bonaparte, the Duke of Wellington, Emperor Alexander, Emperor Francis, the king of Prussia, the king of England, the great men of Europe, as well as of America. I have never seen quite so great a man as the tavern keeper, clerk of court, postmaster, county treasurer, Captain Bishop of the Georgia guard, who caused my arrest. . . . 'By your tongue, I say,' resumed the majesty. 'The minute you hear the top of the drum, I tell you to cut out of this yard, and I order you never while you exist to be seen in this state of ours any more, for if you are I'll make you pay for it.' And now, sir, clear out of the state forever, and go to John Ross, damn you!"

Payne never returned to Georgia and three years after his visit the Cherokees were expelled and removed to Indian territory. He, after various vicissitudes, was appointed United States consul to Tulsa and died there in 1859. After many years his remains were disinterred and now lie in Oak Hill cemetery, Washington, D. C. A monument at his grave is similar to the one which stands at his former grave in far distant Tulsa.

Porter on Dipping Car Grows Rich From Tips

CHICAGO.—Tips, whether monetary or informative, always were accessible to William Taylor Johnson, of this city, during his 29 years' service on a cafe club car of the Chicago, Milwaukee & St. Paul railroad. As a result, Johnson's reputed wealth today is \$100,000. Johnson's prime holding is a 26-acre farm at Anoka, Minn., 65 miles north of Minneapolis. Here he has installed the latest methods in scientific farming and has never known a failure.

Despite the responsibilities of this venture, Johnson still remains in the service of the road and the dining car which gave him his start. Has Large Egg. LORE CITY, Ohio.—O. R. Cosgrove, rural free delivery route No. 1, has an egg measuring 7 1/2 inches in circumference, the long way, and 4 1/2 inches around the middle. It weighs a quarter of a pound. Cosgrove said the egg was laid March 5 by a nine-month-old white Leghorn pullet.

Miners' Trial Where John Brown Hung



At top is actual photograph of John Brown's fort at Harper's Ferry, West Virginia. The original site of the historic building is marked by a granite shaft. At the bottom is the home occupied by John Brown at Harper's Ferry prior to the historic riots and acts of "high treason and conspiracy" for which he was convicted and hanged.

CHARLESTOWN, W. Va.—Once more, after thirty-three peaceful years, this historic old West Virginia county is again the scene of a trial of nation-wide interest. The underlying issues of more than half a century ago and today have not greatly dissimilar in principle. In 1859 John Brown and his followers found trial here for treason. The issue was slavery.

In 1859 a hundred or more men, mostly union workers, are being tried for alleged treason, insurrection, inciting to riot, murder and scores of other serious charges. President Lincoln, then in the white house in 1859, they are involved in the issue now on trial here.

John Brown and his followers sought to free the slaves in his day, and he seized a United States arsenal at Harper's Ferry, W. Va., to accomplish his ends. Slavery was legal then, John Brown used illegal methods to destroy slavery, and they hanged Brown and his followers for attempting to make the slaves free. In the fall of 1851 union men sought to march upon some non-union coal fields and make them union. An army of 5,000 or more men began an armed march through West Virginia. The men of the non-union fields and the authorities of several counties opposed this march.

Pitched Battle Fought. A pitched battle was fought, and scores were killed. This non-union miners wanted a free labor situation in the coal fields, and the union men tried to march upon some non-union coal fields and make them union. An army of 5,000 or more men began an armed march through West Virginia. The men of the non-union fields and the authorities of several counties opposed this march.

John Brown and his followers were tried here in the granite shaft. The school kids sing about "The Hung John Brown on a South Apple Tree." But how many know the details of the trial, conviction and hanging of John Brown in Charles Town?

Sixty-three years ago the nation was rent with the issue of slavery. It had become the greatest issue since the revolution. While Horace Greeley wrote stirring editorials to free the slaves, John Brown took an even more violent course. He tried to free the slaves by force. It was a national issue.

George A. Moore, a former prosecuting attorney, writes in a local newspaper, says in part: "During the early summer of 1859 a party of strangers arrived near Harper's Ferry, then a part of Virginia. With them was an old man of venerable appearance, who called himself Isaac Smith. They were carrying a large quantity of arms and frequent rambles over various parts of the Blue Ridge Mountains near by. After a few weeks they removed to what is known as the Keamy farm, about five miles from Harper's Ferry, on the Maryland side of the Potomac river, and established headquarters. They were amiable people and soon made a number of friends. In the meantime a large quantity of arms and ammunition was smuggled in to them."

Excitement Prevailed. "Twenty men descended upon Harper's Ferry on the night of Sunday, October 15, 1859. They shot men in the streets and took possession of the town. Some of the townspeople were made prisoners. The greatest excitement prevailed in the town. Nobody seemed to know what it was all about. Later one of the attackers declared they had come to free the Virginia slaves. They said they had the means to accomplish this plan."

News of the attack on Harper's Ferry was flashed throughout the nation. The Virginia militia came, and Governor Wise of Virginia took personal charge. After a three-day fight the little army was captured. Its leader was recognized as John Brown.

Brown and his followers were taken to Charles Town, where the grand jury was in session. Virginia and what is now West Virginia were then one state.

"The old Virginia law required five days' lapse between the preliminary examination and the submission of the case to the grand jury. A whole nation was wrought up to the tensest pitch during those five days of suspense. It was rumored everywhere, particularly in Virginia, and through the south, that John Brown's little army of 20 men was but the forerunner of a mighty army from the north to come down and free the slaves and

tion was asked. He might be old, he might be feeble, but he was a man withal. And the haggard old man slowly and feebly arose from his chair. His steady eyes swept the breathless crowd with scorn as he exclaimed: "Virginians! I did not ask for quarter at the time I was taken. (He was badly wounded.) I do not ask for quarter now. I do not ask to have my life spared. If you seek my blood you may have it at any moment without the mockery of a trial. I have no counsel. If we are to be forced into a mere form of trial—trial for execution—you might spare yourselves that trouble. I am ready for my fate. I beg no insult, nothing but that which, consistent with your cowardly device, you to practice. I again ask to be executed in the mockery of a trial."

Then John Brown sat down. He in that short speech not only addressed the court but he flung a challenge at the pride of old Virginia.

Authors Amazed. "His auditors were thrilled and amazed. They even reported the daring old man."

"When the second day's court opened an attorney for Brown informed the court that he had received a telegram from an Akron, Ohio, man which stated that there was a good deal of insanity in Brown's family, and he desired time to investigate the statement."

"While the defense counsel was making this plea John Brown interrupted him. The old man struggled forward, his face blazing with wrath and his body shaking with emotion. In unrepentant language he repudiated his attorney's plea and declared there was no insanity in his family's mind, though scores of his number's people had been mentally afflicted. He refused any such plea of insanity in his behalf. He was not in the mood, he had nothing to say, and no apologies to make. The court ruled that as there was no testimony supporting the statement, the insanity plea would be discarded, and the trial proceeded."

"Several witnesses described how the armed band came across the bridge at midnight and took possession of the United States arsenal at Harper's Ferry. They described in detail the stirring events of October 15, 17 and 18.

"The judges took possession of some of the nearby plantations and made the slaves and plantation owners owners of war. The night express train was held up on the bridge and the porter shot. Men were shot down in the streets, the witnesses fled, and the masses killed. Militia companies were hastily summoned from Martinsburg, Shepherdstown and Charles Town.

Fort Is Established. "Finally the remnants of the Brown party barricaded themselves in the municipal fire engine house of Harper's Ferry. It later was known as John Brown's Fort. There they were surrounded by troops and escape cut off. Efforts to negotiate were futile. Plans of treacherous desertion by Brown's followers were shot down or captured. On the night of the second day after his entered the town a company of United States marines from Washington arrived. They were under command of Colonel Lind or E. Lee and Lieutenant J. B. Stuart, who later became the two great generals of the confederacy."

"Brown refused to surrender, and the next morning his fort was carried by storm. Brown and his surviving companions were captured. Brown was badly wounded in several places, but was some of his companions."

"Among the towns' citizens, who were taken prisoner by Brown was Colonel Lewis W. Washington, grandnephew of George Washington. The committee of John Brown's Harper's Ferry killed were 12 killed, two wounded, one escaped. Two of Brown's sons were killed, of the attackers five were killed and nine wounded."

"So-called 'damnable' literature flourished as evidence of the Brown trial were copies of the constitution and ordinances drawn up by Brown for the reconstruction of the constitution of the United States through amendment and reform. Let from Joshua R. Giddings, member of congress from Ohio and abolitionist, were a part of the evidence."

Arguments Begun. "On the sixth day of the trial arguments were begun. The court delivered its charges, and the jury returned a verdict of guilty with no recommendation in the courtroom."

"The next day Brown was brought into court for sentencing. He was asked if he had anything to say in his own defense. He said: 'I have nothing to say in my own defense. I have already admitted the design on my part to free the slaves. That was all I intended. Now, if it is necessary that I forfeit my life for the furtherance of the ends of justice and might I plead with the blood of the millions in this sick country whose rights are disregarded by wicked, cruel and unjust enactments, I submit, let it be done. Let the say and word for that I feel entirely satisfied with the treatment I have received on my trial. Considering all the circumstances it has been more generous than I expected. But I feel no consciousness of guilt. Now I have done."

Sentence Imposed. "Then the court imposed the sentence, which was that he should be



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that a powerful secret organization was planning revolt by riot and murder and the Brown gang was to be released from jail.

Rumors Traveled Fast. "These rumors grew, they traveled fast. It was argued that John Brown would not have dared attempt such a bold thing as the capture of Harper's Ferry unless he knew he had ample backing."

"On October 26 the preliminary hearing opened, with the courthouse heavily guarded by militia troops. Everywhere in the town was jammed with strangers. There was a little army of newspapermen."

"Brown, it is believed, fully realized what was to come. The courthouse was across the street from the jail. Brown was marched out from the front door of the jail, grim and determined. A double file of soldiers guarded him. He presented a remarkable picture."

"Whether he was legally right or not, he believed his cause just. He was six feet tall, scraggy-shouldered, old, bareheaded and wore a long shaggy gray beard. His piercing old eyes showed no signs of fear. He had faith in God and his cause."

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Telechronometers Put On Conversation Lines

FIVEHURTY, Wash.—Telephones for 11 a month. That is one of the rates that went into effect here April 1, giving Everett the distinction of having the lowest telephone rates of any city in America.

The new rates just filed with the state public service commission by the United States Telephone company, which operates the system here and in the surrounding suburbs, are made possible through a little device known as a telechronometer. According to the invention of this machine, it is designed to revolutionize telephone rates and services. It measures telephone service like a water meter measures water.

After many tests and discussions the public service commission of this state was convinced of the machine's merit.

Art Collection Will Be Sold at Auction LONDON.—An art collection worth the world over is expected to be sold at Christie's auction rooms May 4 when the private collection of art treasures of the late Baroness Burdett-Gustave will be offered for sale.

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